

Witnessed by the ill-preparedness of the response in the wake of Hurricane Katrina, we must prepare now for the potential impact of future catastrophes.

Most importantly, as fuel supplies remain tight, we must prepare to alleviate the impact that another natural disaster, refinery fire, or pipeline explosion has on the Nation fuel supply and as a result our national economy.

Yesterday I introduced the Strategic Gasoline and Fuel Reserve Act of 2005.

The reserve would require the Department of Energy to hold and manage 40 million barrels of unleaded gasoline and 7.5 million barrels of jet fuel to be used in times of supply shortages—shortages that adversely impact the U.S. economy.

The Secretary is tasked with identifying at most five strategically significant regional locations for the fuel reserve. For instance, one could be located in the Northeast, one in the Midwest and one in the California.

Finally, the Secretary of Energy must establish procedures to release fuel from the reserve to those typically engaged in the sale of distribution of gasoline or jet fuel.

Hurricane Katrina forced about 1 million barrels of refined product offline. The reserve would provide 40 days' worth of gasoline supply based on the amount shutdown from Katrina—or almost 2 weeks worth of gasoline supply to fill the void of offline capacity caused by both Hurricane Rita and Katrina together.

Furthermore, the reserve would include 7.5 million barrels of jet fuel—enough to keep the fleet in operation for 40 days if faced with a disaster of the magnitude of Katrina.

We have witnessed three airlines enter into bankruptcy—partly because of increasing fuel costs. U.S. airlines pay an additional \$190 million in annual fuel costs for every penny increase in the price of a gallon of gas.

It is important to keep a viable stock of jet fuel available to ensure the seamless operation of one of America's important transportation fleets.

But, in total, consumers are the ones hardest hit by rising fuel costs.

A fuel reserve like the one in this legislation could provide a price buffer when pipelines or refinery outages occur, helping to mitigate price spikes that bite consumers in the pocketbook.

Consumer Federation of America has urged Congress to create a national fuel reserve. They recognize that American households who own and drive cars will consume 100 billion gallons of gasoline this year—costing them over \$200 billion at the pump. This represents a cost of nearly \$2,000 for each household with a car, and an increase of nearly \$600 a year in the past 4 years alone.

A study commissioned by the State of California concluded that a regional reserve, which is what would be created under this bill, could save consumers \$1 billion every time supplies were af-

fected. With a nationwide reserve, that number is even higher.

As Democrats continue to push for a national policy of energy independence, a gasoline and jet fuel reserve is an important component of that debate.

I ask unanimous consent to have printed in the RECORD material in support of the bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SUPPORT FOR THE STRATEGIC GASOLINE AND FUEL RESERVE ACT OF 2005—SEPTEMBER 29, 2005

CONSUMER FEDERATION OF AMERICA

Mark Cooper, Director of Research, Consumer Federation of America (CFA), said about the Strategic Gasoline and Fuel Reserve Act of 2005, "Four years ago, at the first signs of trouble in the gasoline market, we called for a regional product reserve that would be used to not only ensure supply, but to dampen the wild roller coaster ride that has been afflicting the driving public. This legislation is a step in the right direction and hopefully marks the start of a broad re-orientation of energy policy toward policies that protect consumers from pricing abuse."

UNITED AIRLINES

Mark Anderson, Vice President, Government Affairs, United Airlines, said, "Senator Durbin understands that escalating fuel prices, driven in part by shortages in supply, have a negative impact on travel and economic stability for individuals and businesses throughout Illinois and the nation. This proposal, which will ensure that emergency supplies of refined products like gasoline and jet fuel are located at strategic locations across the country, will provide economic stability when it is most needed. We applaud Senator Durbin's efforts to address this issue of critical importance."

AMERICAN AIRLINES

According to Will Ris, Senior Vice President for Government Affairs for American Airlines, "the proposal of Senator Durbin to establish a reserve of refined oil products is a farsighted idea that should be implemented quickly. The hidden story of the current crisis is that the cost of refining crude oil has increased at a much more rapid rate than the price of crude itself. By creating a reserve of refined products, the fluctuation in the markets due to temporary refining shortages can be reduced substantially. We particularly applaud Senator Durbin's proposal to build reserves of jet fuel as well as gasoline. This shows a strong understanding of the importance of commercial aviation to the economy."

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2006—Continued

The PRESIDING OFFICER. The Senator from Colorado.

Mr. SALAZAR. Mr. President, what is the pending business?

The PRESIDING OFFICER. H.R. 2863.

AMENDMENT NO. 1903

Mr. SALAZAR. Mr. President, I have an amendment at the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Colorado [Mr. SALAZAR] proposes an amendment numbered 1903.

Mr. SALAZAR. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide that certain local educational agencies shall be eligible to receive a fiscal year 2005 payment under section 8002 or 8003 of the Elementary and Secondary Education Act of 1965)

On page 220, after line 25, insert the following:

SEC. 8116. APPLICATIONS FOR IMPACT AID PAYMENT.

Notwithstanding paragraphs (2) and (3) of section 8005(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7705(d)(2) and (3)), the Secretary of Education shall treat as timely filed, and shall process for payment, an application under section 8002 or section 8003 of such Act (20 U.S.C. 7702, 7703) for fiscal year 2005 from a local educational agency—

(1) that, for each of the fiscal years 2000 through 2004, submitted an application by the date specified by the Secretary of Education under section 8005(c) of such Act for the fiscal year;

(2) for which a reduction of more than \$1,000,000 was made under section 8005(d)(2) of such Act by the Secretary of Education as a result of the agency's failure to file a timely application under section 8002 or 8003 of such Act for fiscal year 2005; and

(3) that submits an application for fiscal year 2005 during the period beginning on February 2, 2004, and ending on the date of enactment of this Act.

Mr. SALAZAR. Mr. President, amendment No. 1903, which I am working on with my colleagues to resolve, will provide impact aid funding to the children of the service personnel in Fort Carson, CO. It will restore \$1.2 million in needed educational impact aid funding to the El Paso County School District No. 8. The money for this amendment has already been appropriated within the Department of Education budget.

The El Paso School District educates the children of thousands of service men and women serving our Nation on the Fort Carson military base. Many of the loved ones of these students and staff of the El Paso County School District have been deployed to Iraq as part of Operation Iraqi Freedom. In fact, over 11,000 soldiers from Fort Carson are currently deployed in Iraq. That is one-half of Fort Carson's total force.

Due to a technical error, the Department of Education has denied the school district access to a \$1.2 million set-aside for that school district's program. The result is that school district may have to fire as many as 12 teachers and teachers' aides. This amendment simply permits the school to access the money already set aside for it.

I recognize this is not the traditional vehicle for this fix, but, frankly, given the stakes for the school district and the fact that the education of the children of the men and women from Fort Carson who are in Iraq is at stake, I believe we owe it to the families there to fix this problem, and to do it now.

I note, too, that I have discussed this issue with the HELP Committee.

Chairman ENZI and Ranking Member KENNEDY have graciously consented to the inclusion of this amendment on this bill. I have also been in close contact with the Armed Services Committee and with Senators—from Arizona and New Mexico—who face similar challenges. They all support this measure.

I will work closely with the managers of this bill to dispose of this amendment in the most efficient way.

And while I am here, Mr. President, I want to discuss four other amendments I have offered or will shortly offer to this bill. The amendments build on a good bill produced by Senators STEVENS and INOUE.

AMENDMENT NO. 1887

The first amendment—amendment No. 1887—would simply change the name of the so-called “death gratuity” to the less insulting and more appropriate name, the “fallen hero compensation.” The Senate has considered—and adopted—a version of this amendment before. Regrettably, it was dropped out in the conference on the fiscal year 2005 Iraq and Afghanistan emergency supplemental. I hope it stays in this time.

It fixes something in current law that I consider unfair. We currently call the assistance that taxpayers make available to military survivors a death gratuity. The term gratuity means gift, and I do not believe that any of the widows, widowers, or children left behind think of that money as a gift. I refuse the term death gratuity. Senate Amendment 1887 will change the term to fallen hero compensation, a term that more appropriately describes the sacrifice of these men for their country.

AMENDMENT NO. 1888

Senate amendment No. 1888, offered by Senators REED, LIEBERMAN and myself, mirrors an amendment Senators CHAMBLISS, LIEBERMAN, REED and I offered to the Defense authorization bill. I think we have agreement to get a modified version of this amendment added to the Defense authorization. Pending a clearer picture of the fate of that bill, I intend to protect my right to offer that amendment here.

This amendment will allow the Office of Special Events within the Department of Defense to provide more support to Paralympic competitions in the United States. This is a matter of basic fairness. The Pentagon currently supports Olympic and other international games. This amendment just makes it easier for the Pentagon to support such competitions. With so many of our men and women coming back from Iraq disabled, it is important we provide these Olympic opportunities.

AMENDMENT NO. 1900

Senate Amendment No. 1900 requires standards and accountability for Afghanistan security forces trained by the United States.

It passed by unanimous consent as part of the fiscal year 2005 Iraq and Af-

ghanistan emergency supplemental, but was dropped in the conference committee—not understandably—because it was deemed unnecessary. I could not disagree more with the assessment of my esteemed colleagues in the conference committee.

Press accounts in recent weeks indicate that our training efforts in Afghanistan have been even less successful than our efforts in Iraq. Earlier this month LTG David Petraus, the top American trainer in Iraq, spent 5 days in Afghanistan to prepare a confidential assessment for the Pentagon. While I have not seen the results of the assessment, I can say without question that the decision to send General Petraus to Afghanistan was not an indication that the Pentagon believes things are progressing well there.

And a series of recent press stories—from Stars and Stripes to the New York Times—indicate that our soldiers deployed to Afghanistan are also concerned about the status of training there.

A sergeant with the 391st Engineer Battalion was quoted by Stars and Stripes as saying, in plain and simple language, “The Afghan National Army just isn’t where it needs to be yet.”

According to the New York Times, by September, the Afghan army had grown to about 26,000 troops and the Afghan police force to more than 50,000. In contrast, the Iraqi army and special police forces have 87,300 troops, and the Iraqi police force has about 104,300 officers.

The same article reports that until earlier this month, many Afghan police recruits were training with wooden rifles. That is not a misstatement. The force we expect to root out the world’s worst opium production and trafficking efforts has been training—until earlier this month—with wooden rifles.

Our commanding officer there, General Eikenberry, said this: “When you’re trying to put the pieces back together again, you need a lot of time and a lot of patience.” He is, of course, right. Ensuring that patience—particularly as we consider yet another \$50 billion supplemental for Iraq and Afghanistan—requires more information. We simply need more information about whether and how we are meeting our shared goal of an Afghan security force trained to a uniform standard.

Some of my colleagues have suggested that there are sufficient reporting requirements in place on our efforts in Afghanistan.

It is true that the Afghan Freedom and Support Act requires an update on our training effort there. But nowhere in that act or anywhere in existing reporting requirements is there a demand for clear reporting on the standards to which these forces are being trained, or any demand for clear accountability that the forces trained have met the standards we are demanding they meet.

This amendment will ensure that we have the same reporting requirements for Afghanistan as we already have for

Iraq. It will provide the accountability our taxpayers deserve and the success that our national security demands.

My last amendment, which I will introduce later today, is the result of a letter I received from one of my constituents. He is an Army specialist and is currently deployed to Iraq. He wrote to me because one of his friends was killed by an IED while sitting in the exposed gunner’s seat of a Humvee. His letter reads as follows:

Two days ago a good friend of mine was killed in action when an Improvised Explosive Device (IED) detonated next to his Humvee. He was sitting in the gunner seat and pulling rear security. I have seen automated guns that can go on the top of these same Humvees. These guns are controlled from inside the vehicle. Why are these guns not on every Humvee? I do not have the time or the resources over here to check, but if you were to look into it I believe you would be shocked at the percentage of KIA’s that were sitting in the gunner’s seat of Humvees since OIF 1 in 2003. All I do know is that the four people that were inside the vehicle were physically unharmed. If the answer is money, then I would really like to know how much my friend’s life was worth.

Since receiving that letter I have been in close contact with the Pentagon about the technology this young specialist is referring to. The Common Remotely Operated Weapons Station, known as CROWS, can move our soldiers out of the exposed gunner’s seat and inside the protective shell of an up-armored Humvee. Behind me is a picture of how the CROWS system works. The CROWS system sits on top of the Humvee, with the gunner operating the weapons system from inside. My friend’s friend who was killed could have been safe because he would have been inside the protective armor of the vehicle.

In a CROWS-equipped vehicle, the gunner controls a powerful weapons platform through a computer screen. The system can be mounted on a variety of platforms, and it gives a soldier the capability to acquire and engage targets while protected inside the vehicle—out of range of enemy fire or IED attacks.

Right now we have a few of these systems deployed in Iraq, and I am told that our soldiers “hot seat” them, which means that when one of these Humvees comes back from a patrol or an escort mission, another group of soldiers takes the vehicle out again as soon as they can gas it up.

According to an article I read in the American Legion magazine, CROWS gives our soldiers a powerful color daylight camera, a Generation 2 forward-looking infrared camera, and a laser range finder. According to another article, the CROWS system has 98 percent accuracy and can engage the enemy beyond 2,000 meters with one-shot, one-kill accuracy and no collateral damage.

My amendment would add funding for the CROWS system in Title IX of this bill so that the Pentagon can meet its target for production and deployment of this important weapons system this year. As of June 27, there were

24 CROWS systems in Iraq. If the Pentagon meets its funding targets in this year's supplementals, we will be able to field 245 systems into Iraq this year. To meet this target, this important system needs another \$28 million in the Senate bill—and another \$103 million on the next supplemental in early spring.

My amendment would add that additional funding so that we can meet this important target.

These are five very important amendments to the Department of Defense appropriations bill. I look forward to working with my colleagues—with Senator STEVENS and Senator INOUE and all my colleagues in the Senate—to move forward and ensure that we enact these amendments for the benefit of our men and women in uniform.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INOUE. I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO 1903

Mr. INOUE. Mr. President, on amendment No. 1903 to H.R. 2863, submitted by the Senator from Colorado, Mr. SALAZAR, on behalf of the chairman of the committee, Mr. STEVENS, and the ranking member, we are ready to accept it.

I urge its approval.

Mr. KYL. Mr. President, I am gratified that it was possible for the Senate to consent to the adoption of amendment No. 1903, offered by Senator SALAZAR of Colorado. I am grateful to Senator SALAZAR for introducing this amendment, which will ensure that students attending a number of schools receiving assistance through the Impact Aid program—including the Window Rock Unified School District located on the Navajo Nation in Arizona—are not punished for administrative errors made by district personnel. I am also grateful to the chairman and ranking member of the Defense Appropriations Subcommittee and the Health, Education, Labor, and Pensions Committee for consenting to the inclusion of this amendment in this bill.

The Window Rock district is known is a 100 percent impacted district. That is, because the land it encompasses is federally owned, it cannot rely on a local property tax base to fund school operations as most districts in our country can. It is important to note that the administrative error that triggered this penalty—the loss of \$1.2 million—was a one-time occurrence, and that Senator ENZI, the chairman of the committee with jurisdiction over this matter plans to address that ongoing administrative problem that has occurred here the next time Impact Aid

is reauthorized. Moreover, as Senator SALAZAR rightly emphasized, the money here is not new money but previously appropriated funds that had been withheld.

There is no question that district must take pains to ensure that rules and procedures are adhered to but in this case I agree with Senator SALAZAR that the penalty here was disproportionate and that, in any case, punishing reservation schoolchildren is not a particularly well-targeted penalty. This amendment will rectify that, and I am pleased that it will be accepted.

The PRESIDING OFFICER. Is there further debate on the amendment? The question is on agreeing to the amendment.

The amendment (No. 1903) was agreed to.

Mr. INOUE. Mr. President, I move to reconsider the vote.

Mr. SALAZAR. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SALAZAR. Mr. President, I thank the Senator from Hawaii, a great friend and truly an inspiration and hero for all of us in this Nation, for his great contribution, not only during World War II but also his continuing contribution in the Senate—likewise, to the chairman of the committee, Senator STEVENS, for an equally remarkable contribution to our country during World War II, and their understanding of the importance of doing everything we can to defend our country.

I thank the Chair and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. STEVENS. Mr. President, I ask unanimous consent that there be a period for the transaction of morning business, with Senators permitted to speak therein for not to exceed 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ABU GHRAIB PICTURES

Mr. INHOFE. Mr. President, yesterday, we had a hearing of the Senate

Armed Services Committee where we had testify the Chairman of the Joint Chiefs of Staff, General Myers; we had General Casey, who is in charge of the battles that are taking place over there in Iraq at this time; we had General Abizaid, and we had Secretary Rumsfeld.

About that time, we learned that, at the behest of the ACLU, a Federal judge in New York by the name of Alvin Hellerstein has ordered the Government to release more pictures of the Abu Ghraib abuse. This is despite the fact that General Myers said if you do this, it will cost American lives. Apparently, Hellerstein missed the Newsweek Koran debacle, where 15 people were killed immediately after a bogus report by that publication, Newsweek, inciting impulsive violence that is done on a case-by-case basis.

I think sooner or later we are going to have to do something about it, try to at least do all we can to make the American people aware of the bias we have in the media.

I have had occasion, since I am on the Armed Services Committee, to probably be over in Iraq more than anyone else. On one trip, the Presiding Officer was with me. All of us who have been over there will remember that every time we arrive the first thing the troops say to us is: Why is it the American people don't understand what we are doing? Don't they realize our country is under the greatest threat it has ever had throughout its history? And don't they understand the resolve we have and the fact that we know we are risking our lives? And I say to them: They do know it, in spite of the fact that the media is wrong.

There is a lieutenant colonel by the name of Tim Ryan. He was in the 1st Calvary in Iraq. He actually led a group into Fallujah. I am going to read one quote he made. He finally could not take it any longer. He said:

The inaccurate picture they paint [talking about the media] has distorted the world view of the daily realities in Iraq. The result is a further erosion of international support for the United States' efforts there, and a strengthening of the insurgents' resolve and recruiting efforts while weakening our own. Through their incomplete, uninformed and unbalanced reporting, many members of the media covering the war in Iraq are aiding and abetting the enemy.

They are aiding and abetting the enemy. And to have this thing revived on the Abu Ghraib prisoner abuse—by the way, I have to say this: Long before the public was even made aware of it, the military had gone in, taken the necessary precautions, and had prosecuted those who were guilty. That was done long before this came out in public.

Now, as far as the war is concerned, I think it is very important for people to know we are being very victorious in the areas. It is a tough asymmetrical type of threat, an enemy we have never had before.

But I would suggest that on one of the trips when I went there, we spent